[24th February 1930

Appointment of Stationary Sub-Magistrates.

*1442 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that when criminal cases are heard by the Head Accountant Magistrates, they usually attend to them only after they have finished their treasury transactions, thus necessarily making the parties wait to suit their convenience;

(b) whether the Government are aware that where the Head Accountants are empowered to deal with cases, the Tahsildar-Magistrates also have to hear cases, i.e., other than town cases, and whether they are obliged to hear them often in their camps; and

(c) why they have not appointed Stationary Sub-Magistrates in the twenty-six taluks in the Presidency where Taluk Head Accountants are still invested with magisterial powers?

A.—(a) The Government have no information.

(b) Yes, but it is believed that the number of cases is inconsiderable.

(c) For two main reasons—

(1) there is not enough magisterial work in these 26 taluks to occupy a Stationary Sub-Magistrate fully;

(2) the extra cost involved is not in the circumstances of these 26 taluks justified.

Diwan Bahadur P. KESAVA PILLAI:—"With reference to the answer to clause (a) am I to understand that it is the primary duty of the Head Accountant Magistrates to attend to treasury transactions and that they need attend to criminal cases only after finishing the treasury work? Is it the rule?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am not aware of any such rule."

Mr. A. RANGANATHA MUDALIYAR:—"Am I to take it that the Head Accountant Magistrate who is in charge of the sub-treasury has also to dispose of criminal cases?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I believe so, Sir."

Mr. A. RANGANATHA MUDALIYAR:—"May I know whether he has not to attend to treasury transactions during the office hours from 11 to 5?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"To my knowledge, yes."

Mr. A. RANGANATHA MUDALIYAR:—"Is he also a magistrate?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Yes in some cases."

Mr. A. RANGANATHA MUDALIYAR:—"Then, when is this work to be done?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Whenever it is convenient for him."

Mr. D. THOMAS:—"Is it not a fact that in several places where there are stationary magistrates, the head accountants exercise magisterial functions also?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Notice."

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Mr. A. RANGANATHA MUDALIYAR :—"Should the head accountant discharge his magisterial functions as it suits his convenience, or according to the convenience of the public ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"According to his convenience when he has to do both duties."

Diwan Bahadur P. KESAVA PILLAI :—"Is it not a fact that the criminal cases should be attended to without making the parties wait for a long time, as it is a matter which affects the interests of the public ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, Sir, consistently with the interests of the tax-payers who have ultimately to pay for these magistrates."

Mr. A. RANGANATHA MUDALIYAR :—"With reference to answer to clause (c) (2), may I know why two or more taluks should not be joined together and put under the jurisdiction of a magistrate ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice."

Forests

Concessions to the cultivators of South Kanara to take freely green and dry leaves from reserved forests.

* 1443 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased—

(1) to place before the Council the orders or a summary of the several orders passed in connexion with the concession granted to the cultivators in South Kanara to take, free of payment of any fee, green as well as dry leaves from reserved forests, and

(2) to state (a) on what grounds and circumstances the concession was granted ; and

(b) whether representations have been received by the Chief Conservator or Government for the continuance of the privilege and, if so, what action has been taken thereon ?

A.—(1) The following concessions have been granted in South Kanara :—

(a) clearing of undergrowth in all reserves (except those near the Coast) to a distance of half a mile from the limits of private holdings ;

(b) in the reserves near the Coast, clearing of undergrowth to a distance of 200 yards from the limits of private holdings ;

(c) clearing of undergrowth in all areas sown with Hopea, and

(d) free removal of—

(i) green manure leaves of unclassified species and dry leaves of all species, and

(ii) dead fuel.

N.B.—Undergrowth was defined to mean growth of unclassified species not above 6 feet in height and dead fuel to mean parts of dead trees less than 3 inches in diameter.